

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE

MELVIN WALTERS, JR., and  
TERRY EDWARD ELLISON,

Plaintiffs,

v.

BOBBY BROOKS,  
SGT. STACIE ENGLAND,  
TAMMY REAGAN,  
CLAIBORNE COUNTY  
SHERIFF'S OFFICE,  
CLAIBORNE COUNTY,  
SGT. JOSH SMITH, and  
ROBERT SEXTON,

Defendants.

No.: 3:20-CV-129-TAV-HBG

**MEMORANDUM OPINION AND ORDER**

On April 10, 2020, this Court entered an order denying Plaintiffs permission to proceed jointly in this action for violation of 42 U.S.C. § 1983 and requiring each Plaintiff to file a notice with the Court indicating whether he wished to proceed in an individual § 1983 action for which he would be assessed the entire \$350.00 filing fee [*See* Doc. 12]. The Clerk was directed to send each Plaintiff a § 1983 form to complete and return if he wished to proceed in an individual suit [*Id.* at 3-4]. Each Plaintiff has now indicated a desire to proceed in individual § 1983 actions by filing separate complaints [*See* Docs. 13 and 14]. Therefore, it is **ORDERED**:

1. That the Clerk is **DIRECTED** to **SEVER** Plaintiff Terry Edward Ellison from this action and **OPEN** a new, individual civil action for Plaintiff Ellison using the complaint he filed on April 20, 2020 [Doc. 13];

2. That the Clerk is **DIRECTED** to transfer the docket entries numbered 4 and 10 in the instant cause to Ellison's newly filed civil action;

3. That Melvin Walters will proceed as the sole Plaintiff in the above-captioned case;

4. That the Clerk is **DIRECTED** to file the instant Memorandum and Order in this cause, as well as in Ellison's newly opened civil action; and

5. That each Plaintiff is **ORDERED** to immediately inform the Court and Defendants or their counsel of record of any address changes in writing. Pursuant to Local Rule 83.13, it is the duty of a pro se party to promptly notify the Clerk and the other parties to the proceedings of any change in his or her address, to monitor the progress of the case, and to prosecute or defend the action diligently. E.D. Tenn. L.R. 83.13. Failure to comply with this order, or failure to provide a correct address to this Court within fourteen (14) days of any change in address may result in the dismissal of this action.

**ENTER:**

s/ Thomas A. Varlan

UNITED STATES DISTRICT JUDGE